DOCUMENT RESUME

ED 344 787 SO 020 368

AUTHOR	White, Charles, Ed.
TITLE	Lawyers in the Classroom. Bar/School Partnership Programs Series.
INSTITUTION	American Bar Association, Chicago, Ill. Special Committee on Youth Education for Citizenship.
SPONS AGENCY	Department of Education, Washington, DC. Office of Law-Related Education.
PUB DATE	85
CONTRACT	G008510131
NOTE	9p.; For related documents, see EJ 335 155, and SO 020 369-378.
AVAILABLE FROM	American Bar Association, 750 N. Lake Shore Dr., Chicago, IL 60611 ($1.00).
PUB TYPE	Guides - Non-Classroom Use (055)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	Citizenship Education; Class Activities; Classroom Communication; Curriculum Enrichment; Elementary Secondary Education; *Field Trips; *Human Resources; *Law Related Education; *Lawyers; School Community Programs; Social Studies
IDENTIFIERS	American Bar Association; Judicial System

ABSTRACT

Most lawyers have never been teachers and may be intimidated by the thought of talking to a class of students in a law-related education program. This handbook provides suggestions on how to set up orientation sessions for lawyers and other law-related resource people as well as tips for presenters, including how to get and keep the students' interest and how to establish and maintain credibility. Suggestions are given for planning and conducting field trips to courtrooms and for other learning experiences both in and out of the classroom. In addition, guidelines for brainstorming and role playing are given and evaluation forms are included for the lawyer or other resource person and for students to fill out following the classroom visit or field trip. (JB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED344787

BAR/SCHOOL PARTNERSHIP PROGRAMS

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

X This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL IN MICROFICHE ONLY HAS BEEN GRANTED BY

MABEL C. McKINNEY-BROWNING

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

SO 020 308

Lawyers in the Classroom

American Bar Association
Special Committee on Youth Education for Citizenship

BEST COPY AVAILABLE

Editor: Charles White
Designer: Harvey Retzloff
Project Directors: Charlotte C. Anderson and Mabel C. McKinney-Browning

This is the second of a series of handbooks on bar/school partnerships produced by the American Bar Association's Special Committee on Youth Education for Citizenship, 750 N. Lake Shore Drive, Chicago, IL 60611, 312/988-5725. Most of this material appeared in slightly different form in *LRE Project Exchange*, Spring, 1984.

This handbook is made possible by a grant from the Law-Related Education Office of the U.S. Department of Education, Grant Number G008510131. We express our gratitude to the Department for its support of this project to improve bar-school partnerships, of which the handbook series is a part.

Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the American Bar Association or the Department of Education.

Most lawyers have never been teachers. When asked to share their experiences with kids, they may say they haven't the slightest idea how to talk to a class of students. They may even be intimidated by the idea. On the other hand, lawyers deal with the community, probably consider themselves effective communicators, and have an excellent command of their subject matter. Most of them will probably be far better teachers than they at first imagined.

But it won't happen automatically. A law-related education committee, a Law Day committee, or some other bar group can be a real help. By making available the training, guidelines and activities suggested in this handbook, it can facilitate lively, exciting presentations not just by lawyers, but by judges, police officers, and all sorts of other law-related resource people.

Orienting Your Lawyers

Orientation sessions can give resource people specific techniques, ideas for presentations, and the confidence they need to do the job. But these sessions have to be carefully structured, both to not offend tender sensibilities and to not take excessive time out of busy schedules.

Getting lawyers and educators together for an orientation meeting may sound formidable, but it's not an impossible task. Here are some tips on how to do it.

Getting Them There

Orientation sessions for lawyers are hard to set up, given their schedules and professional responsibilities. One idea is to get them together for several hours one afternoon or evening, perhaps preceding or following a luncheon or supper. Or maybe a breakfast meeting would work in your community.

It is essential to establish a mutual feeling of ease among the lawyers and teachers who are working together. One method of accomplishing this, affectionately known as the "hot tub" approach, is to sponsor a social hour to simply allow a group of lawyers to meet a group of teachers. This can most often be done in the later afternoon for one to two hours. Drinks and hors d' oeuvres might be served.

Lawyers and teachers alike should be invited personally by the lawyers and educators serving as coordinators. Tell the invitees they are simply being given an opportunity to meet socially with the lawyers and educators with whom they will be working. A general identification of all the participants and their areas of legal practice (for the lawyers) and courses taught (for the teachers) should be a part of this process. A general LRE overview (10 to 15 minutes) might take place, but no significant training should be attempted at this time.

Other Possibilities

Another possibility is to create a packet for lawyers. It could contain all the tips you'd give in person, plus as many ideas for activities as possible.

There are several existing booklets or other publications that might do the job or at least serve as models for your efforts. Other booklets in this bar/school partnership series, particularly the one entitled "Sure-Fire Presentations," are worth a look. *Update on Law-Related Education* is a magazine containing useful background articles and ideas for classroom activities. (Both are available from the American Bar Association, Special Committee on Youth Education for Citizenship, 750 N. Lake Shore Drive, Chicago, IL 60611.)

Other publications containing suggestions for presenters include *Law in the Classroom: Activities and Resources* (available from the Social Studies Education Consortium, 855 Broadway, Boulder, CO 80302), two resource guides for classroom presentations (one for secondary and one for elementary) published by the Phi Alpha Delta Law Fraternity and available from 7315 Wisconsin Avenue, Bethesda, Maryland 20814, and publications put out by state and local bar groups (contact the ABA, at the address given above, for more information.)

In addition, samples of instructional tips from some major LRE projects are included in this handbook. Our thanks to the Constitution Rights Foundation (for the activities for resource experts), Law in a Free Society, (finding out how justice is applied), and the National Institute for Citizen Education in the Law (final tips).

If you think printed materials won't be enough, another alternative is to carry out training informally. If you can't arrange to get large groups of lawyers and educators together, try one-on-one meetings. These can occur before a classroom presentation, or in a telephone conversation (with a follow-up letter specifying procedures)

The lawyer should be encouraged to talk with a teacher or a project coordinator about a particular presentation. The visitor should ask what the class is working on, what has been done, and what the intended direction of class study is. He or she should also ask for ideas for several different activities, and ask how these will fit into the total scheme of a teacher's plans. Joint planning like this will increase confidence and allow for greater effectivness.

Tips for Presenters

Since lawyers are not accustomed to speaking with students, they may need examples of how to present materials so that youngsters will not be turned off by legalese. And they need ways of keeping the children interested and getting them to ask questions, suggested answers to often-asked difficult questions, and a strong idea of the total program so they'll see their presentation as part of a course and a structured series of topics, not as a talk standing in isolation.

Teachers often ask lawyers to come into the classroom to play a specific role—judge in a mock trial, resource on career day, etc. This should give lawyers a welcome structure and should make the entire experience more lively for everyone concerned. In addition, teachers can suggest such methods as debates, mock trials, simulations, and role-plays, which will help lawyers see that their contribution can be much more than standing up before a group and giving a formal speech—a technique of limited value and a prospect that may be intimidating even to a trial lawyer. While there certainly is value in listening to attorneys talk about their work, students can often learn more if they are actively involved in learning strategies.

Here are some suggestions to help turn dry discussions into real learning experiences.

Getting and Keeping Interest

Whether an audience consists of elementary students, teenagers, or adults, a lawyer should be aware that people are invariably most interested in events and issues that touch their lives personally. One way to make a theoretical concept more engaging is to present it in the context of a controversial local issue or a situation relevant to the world of the school or classroom.

The first five minutes of the presentation may very well make or break it. The first information must be presented in a dynamic and interesting manner. This does not mean that presenters have to oversimplify; they just have to speak in terms a layperson can understand.

Here are some tips for presenters.

- Be relaxed and friendly so that you can gain the students' interest and get a positive reaction quickly.
- Encourage student participation. Avoid lecturing. Structure your presentation so that you involve students right away. You may want to begin by asking them what they already know about you and your organization.
- Be yourself! Try to incorporate personal reflections. Some examples of questions you might want to answer include the following: Why did you become a lawyer? How has the job affected your life? Your family? What has been your most frightening experience on the job? Your happiest?

Establishing and Maintaining Credibility

Many people have preconceived ideas and possibly negative feelings about attorneys and other people in law-

Guidelines for Brainstorming

The brainstorm is a very useful classroom strategy because all students, regardless of their level of academic achievement, can participate equally. It is nonthreatening because no evaluation is allowed, and it does not require prior preparation. In addition, a significant amount of information can be gathered quickly. All of these factors make it a natural for resource persons.

A critical concern, of course, has to do with what you choose to have a class brainstorm about. One good topic is "How many ways have you been in contact with the law since you got up this morning?" Once resource persons have mastered the techniques, they will find many other topics.

This particular brainstorming activity is useful in grades 4-12 to develop in students an awareness of how often they come in contact with the law in the course of their daily activities. Students are asked to tell about all the activities in which they believe the law is involved; a general discussion follows in which specific laws are matched to actions. For example, one of the activities which many students will mention is "I turned on the radio (or TV) to find out what the news was about today." In this case, two areas of law are involved: law governing radio or TV broadcasting, and the whole general area of freedom of the press.

PROCEDURES

Post the "Rules of Brainstorming." These should be explained briefly.

Rules of Brainstorming

1. Say anything that comes to mind.
2. Piggybacking on the ideas of others is good.
3. Don't evaluate or criticize what others say.
4. When you can't think of anything else, wait a minute and try again.

Tell students to call out their ideas (no hands). Post these as they are called out.

Participate in the brainstorm if it is obvious that students have not gotten the "idea." For example:

a. "I listened to the radio"
b. "I brushed my teeth"
c. "I walked the dog"
d. "I looked at my watch"
e. "I spent some money"

Keep going until it is obvious that nothing new will be said, but be willing to allow enough time for everyone to get into the swing of things.

Match all of the "ideas" to appropriate laws or enforcement agencies. For example: a) F.C.C., b) Pure Food and Drug Act, c) leash law, d) standard time, e) banking. Some of the "ideas" may be family rules, some may be natural laws, and some may be religious tenets. If the list contains many examples from various sources, students might categorize them by source.

One alternative would be to focus on civil and criminal law and classify the "ideas" into these two categories. Students are often surprised that generally they are more often in contact with the social aspects than with the punitive aspects of law.

Another alternative might be to lead a discussion on the effects of breaking some of the laws they mention. This can lead into a discussion of felonies and misdemeanors.

Source: *Law in the Classroom: Activities and Resources*

related occupations. Many of these prejudices stem from the suspicion that the so-called justice system is anything but just—a belief that may not be without grounds, given personal experiences with the system. Lawyers need to be extremely careful to avoid projecting the impression that the legal system in this country is perfect, that there is no room for improvement either in conception or in administration. Overt or implicit criticisms of the system should be met, not by defensive arguments, but by the admission that there are inequities both in the system itself and in its administration. However, the lawyer should emphasize that it is the right and responsibility of all citizens to work toward reforming and correcting these inequities. One of the major goals of the lawyer's presentation should be to get across the idea that the law is a dynamic evolutionary force that often responds to public and community pressures.

On the other hand, the lawyer should avoid the pitfall of agreeing too readily that the system is unjust. A lawyer who dwells exclusively on horror stories is doing as much of a disservice as one who sees only through rose-colored glasses.

Finally, the lawyer should remember that no one has all the answers. If a question is asked that is not a part of his/her expertise, then he or she should not hesitate to admit a lack of knowledge—and a willingness to look it up.

There are many, many methods that lend themselves particularly well to lawyer presentations. Here's a brief run-down of some of the best.

Resource People and Field Trips

Field trips really help students develop an understanding of legal processes. And they're a natural way for lawyers to give kids a close look at the system.

It's not necessary that entire classes go for such tours. Often three to five kids go and then peer teach what they've seen to classmates or younger students.

Many sites are used for field trips, including prisons, police stations, law offices, forensic labs, and, of courses, courtrooms.

The American Citizenship Committee of the Colorado Bar Association offers the following suggestions to individual attorneys who have been asked to conduct courtroom tours. It can easily be adapted by a lawyer conducting tours at other sites.

Explain to teachers that court schedules are unpredictable and subject to last-minute changes. Often, teachers will have to arrange for transportation and permits weeks in advance of the tour date. It should be made clear to teachers that a courtroom tour does not guarantee that a class will be able to view an actual court proceeding.

At least one week before the tour date, contact the clerk of the court to arrange for an empty courtroom and to check on upcoming trials or proceedings. If appropriate, judges, district attorneys, or public defenders could be asked to discuss their roles in the legal system at some point during the tour.

Arrange to meet the class at the empty courtroom. Introduce students to the courtroom by explaining the design of the courtroom as well as the roles of attorneys and the various officials of the court. If no trials are available for observation, you might use a simple factual situation (e.g., traffic violation, contract, tort) to illustrate the various roles of persons in the courtroom (e.g., witnesses, jurors, attorneys). Having students sit in the jury box and witness stand and at counsel's table is especially helpful in generating interest in the tour.

If possible, try to have a judge address the students. ACC's experience indicates that most judges are happy to meet with students to discuss Colorado courts.

If you are fortunate enough to have a trial in progress, try to find out about the case beforehand and brief the students before entering the courtroom. Often the presiding judge is willing to address the class and explain the proceedings.

In addition to a courtroom visit, the other services of the courthouse should also be introduced. The law library and clerk's office are two examples of such services. County government offices might also be visited during the tour.

The primary purposes of a courtroom tour are to:

Introduce the participants to the judicial system

Demonstrate the importance of active participation by citizens in their judicial system

Explain and demonstrate the roles of attorneys and other participants in the legal system

Provide answers to questions about the legal system and the roles of attorneys.

The following outline may be used as a guide for planning a courtroom tour:

1. Visit an empty courtroom first. (The clerk of the district court can often obtain the courtroom for you.) Explain the design of the courtroom and the roles of the various officials of the court and of the attorneys. If possible, arrange for one of the district court judges to talk to students about the roles of individuals in the legal system.
2. Visit an actual trial. Find out about the case in advance. It may be necessary to visit more than one courtroom.
3. Visit the law library. Demonstrate and explain the various sources of law. Demonstrate attorneys' tools of the trade. Explain the functions of attorneys in the legal system.
4. Visit the clerk of the court's office.

Guidelines for Role-Playing

1. Present the problem or situation. Students must be given enough information to play the roles convincingly
2. Get the class involved as quickly as possible. Don't spend a lot of time on the introduction.
3. Assign roles or solicit volunteers. If you arrange the students in pairs or trios, using the third student as an observer, an entire class may participate even if there are only two roles.
4. Role reversal can be a useful device when students appear unsympathetic to the opposing viewpoint, or when a student has been stereotyped by peers.
5. The following questions may be useful for focusing the follow-up discussion:
   - Were the players realistic?
   - Was the problem solved? Why or why not, and how?
   - What were the alternative resolutions?
   - Is this situation similar to anything you have personally experienced?
   - How did you feel playing that role?

PRECAUTIONS

1. Keep it simple. Initial role-playing activities should be simple, but can become increasingly complex.
2. Don't belabor the introduction. Role-play first and answer questions later.
3. Allow time to role-play several incidents; students will become less self-conscious and more aggressively involved with each incident.
4. Don't expect polished performances.
5. Don't worry about losing control of the class. It may be a bit noisy, but if you stick to the procedure, the noise will be productive

CHECKLIST FOR ATTORNEYS ARRANGING COURT VISITS

____ Contact another attorney if more than one guide will be needed for the tour.

____ Contact the teacher or coordinator at least one week before tour to complete arrangements on meeting time and place and to obtain information about the tour group.

____ Check court dockets for empty courtroom to visit, trial(s) to observe.

____ Alert various court bailiffs, clerks, etc. about the tour group.

____ Contact a district judge to speak to the group. (Optional)

Activities for Lawyers & Other Resource Experts Both in and out of the Classroom

1. An initial visit – Simulate an initial visit between an attorney (public or private), or a probation officer, parole agent, police officer, etc. and a client.
2. Plea bargaining – Two attorneys (private and/or public) simulate a plea bargaining session.
3. Bail bonds – A bailbondsman describes the appropriate procedures for obtaining bail or an attorney can discuss the guidelines for establishing a reasonable amount of bail and the right to bail.
4. Filing a case or petition – An attorney discusses the criteria needed and appropriate steps for filing a case or petition.
5. How to build a case – An attorney can take an actual or hypothetical situation and discuss how he/she would build a case based upon the given facts.
6. Adversary proceedings – An attorney can role-play first the prosecutor, then reverse and role-play the defense attorney in an actual or hypothetical case.
7. Legal fees and how they are established – Have students design hypothetical cases and/or the attorney can present actual cases and discuss fees for these cases and why the fees would be for that amount. Explore fees with private attorneys as well as attorneys from legal clinics.
8. Tracing a case through the courts – An attorney can trace a case from the lower courts through the appellate courts.
9. Legislative advocates – Lobbyists may describe their roles within agencies, types of legislation they seek to influence, the procedures used to influence decision markers, etc.
10. Correctional facilities – Students can be asked to design their own prison, then discuss their designs with representatives of the correctional system to determine feasibility.
11. Sentencing – A lawyer, judge, or court-watching agency representative can present cases (actual or hypothetical) and have students determine sentences. The resource person can moderate a debate between students on the issue of indeterminate sentences versus determinate sentences.
12. Search warrant – A police officer or lawyer can provide a search warrant and discuss the process for obtaining one.
13. Habeas corpus – A lawyer may discuss concept of habeas corpus and criteria for habeas corpus review.
14. Citizen complaints – An agency representative may discuss their procedures for citizens filing complaints and/or students may find someone (parent, friend) who has filed a complaint with an agency to discuss the procedure.

Finding Out How Justice Is Applied

Here are some ideas for field experiences lawyers can facilitate. Lawyers can have students

1. Interview a law enforcement officer and ask him or her to describe the procedures used for gathering information on persons suspected of crimes, the constitutional limits placed on their activities, the fairness of the procedures used, and the values and interests protected or endangered by the present procedures.
2. Interview attorneys and/or judges and ask them to describe the procedures used in court to gather information and make decisions, the effectiveness of the adversary procedure in bringing important information to light so informed decisions can be made, the usefulness of the jury system, the fairness of procedures commonly used in court, and what procedures, if any, they think should be improved or changed.
3. Interview a representative of the local agency responsible for the distribution of the property tax burden in the community. Ask the person to discuss the fairness of the present system of taxation. You may also wish to interview representatives of various interest groups concerned with the issue to gain their points of view.
4. Interview a representative of a local agency responsible for gathering information and making decisions about how tax money should be spent (e.g., a member of a city council or board of information, or a representative of a city planning department). Ask the person to discuss the fairness of the procedures used by the agency in gathering information and making decisions.
5. Interview a representative of a local agency responsible for dealing with persons convicted of crimes; e.g.,

Agency Resource Leader Evaluation Form

Agency Contact: _____

Date of Visit: _____

Teacher: _____

School: _____

- Did the teacher/student contact you in sufficient time to complete all arrangements for your visit to the classroom (i.e., directions to the school, preparation of material, etc.) or for their visit to your office?

  ☐ yes ☐ no

- Might the communication between you and the teacher/student(s) have been improved?

  ☐ yes ☐ no

Explain:

- Do you think your preparations were adequate for the circumstances?

  ☐ yes ☐ no

Explain:

- What kinds of preparations did you make prior to the classroom presentation/activity or prior to the visit?

- Please describe briefly the factual material you went over with the students.

- What techniques were used to communicate the subject matter to the students?

- What might you do differently if you went into that classroom again or had visits by additional students?

- Do you have any comments, suggestions, ideas to improve this program?

Source: Constitutional Rights Foundation: Guidelines for Resource Experts in the Classroom

a judge, attorney, or probation officer. Ask the person to disucss the fairness of common responses to crimes in your community in relation to the persons convicted, the victims, and the community itself.

6. Interview an attorney or judge responsible for dealing with civil cases involving wrongs or injuries to people. Ask them to tell you about specific cases and to discuss the fairness of common judgments in such cases in relation to the persons involved and the general community.

7. Ask a lawyer or judge to help find a court opinion that deals with an issue of justice. Read and analyze the opinion to determine the principles, values, and interests that underlie the position reflected. Some landmark cases of the Supreme Court which might be analyzed include:

   a. *Brown v. Board of Education* (347 U.S. 483; 1954)

   b. *In re Gault* (387 U.S. 1; 1967).

Some Final Tips

- Call the school two or three days in advance to reconfirm your visit
- Prepare adequately
- Consider the ages and experiences of students
- Keep your presentation to time indicated by teacher
- Maintain eye contact
- Solicit feedback frequently; ask questions
- Encourage active participation by members of the audience; ask if everyone has understood or if they'd like other points covered
- Come across as a real human being
- Be enthusiastic and lively, and use humor
- Be certain that both sides of controversial issues are brought out either by the students, yourself, or the teacher
- Frequently ask students if they have questions about what's been covered (but don't let tangents or long personal fact patterns take too much time)
- Personalize the topic by mentioning things that happened to you and by asking students if they or their families have had personal experiences with the topic
- Involve the teacher in the class and, if possible, have him or her co-teach it. Though you may lead the class, the teacher can and should make introductions and state objectives for the class, raise clarifying questions or issues which have been neglected, help focus a ram-

Classroom Visit / Field Trip Experience
(STUDENT REACTION FORM)

Name _____

School _____

1. What kind of agency/individual was involved in the experience? (Please check one)
   ( ) A police department/officer
   ( ) A court/court official
   ( ) A corrections facility/officer
   ( ) A community agency/representative
   ( ) An attorney
   ( ) Other (Who?) _____
2. Which of the following phrases best describes your experience with the person or representative of the agency that was involved? (Check one or more)
   ( ) "Talked down to us"
   ( ) "Gave us a lot of information"
   ( ) "Tried to snow us"
   ( ) "Made use of slides, film-strips, or other audio-visual materials"
   ( ) "Gave us an opportunity to observe a person(s) at work"
   ( ) "Involved us in a role-play or simulation activity"
   ( ) "Provided us with a tour of the building or agency involved"
   ( ) Other (Specify) _____
3. Do you feel that you learned anything from the experience? ( ) yes ( ) no
4. Who arranged for the classroom visit or field trip? (Check one or more)
   ( ) Your teacher
   ( ) Members of the class
   ( ) Other (Specify) _____
5. Following the classroom visit or the field trip experience, what happened? Did you (Check one or more)
   ( ) Discuss the experience with the other members of your class?
   ( ) Discuss the experience with your teacher?
   ( ) Report back to the class on the experience?
   ( ) Do something else? (Explain) _____
   _____
6. Did the classroom visit or field trip experience influence your views regarding our legal system?
   ( ) Yes. It makes me feel more positive.
   ( ) Yes. It made me feel more negative.
   ( ) No. It had no real effect upon my feelings one way or the other.
7. How would you rate the experience overall?
   ( ) Extremely valuable
   ( ) Quite valuable
   ( ) Somewhat valuable
   ( ) Not valuable
   ( ) A waste of time
8. Do you feel that the experience did or will help you? (Check one or more)
   ( ) Better understand the subject you are studying
   ( ) Participate in class discussions
   ( ) Prepare for peer teaching
   ( ) Develop a learning packet
   ( ) Become more involved in your community
9. Additional Comments (optional):
   _____
   _____
   _____

Source: Constitutional Rights Foundation: Guidelines for Resource Experts in the Classroom

bling discussion, step in if problems occur, participate in a roleplay, etc.

- Comment about bulletin boards or other displays in the room which relate to your topic
- Call on several students. Don't let one or two monopolize the discussion
- Be mobile. Circulate around the classroom. Walk up and down the rows
- Make sure the entire class hears a students's question or response. Either repeat the comment to the total group or ask the student to repeat it louder so that everyone can hear
- If you plan to exhibit brochures, forms, or other printed material, bring 35 copies with you to pass around. Tell students you will be collecting them at the end of the class. Tell students not to write on materials
- If you bring material for students to keep, give out only those materials needed for your presentation. Leave the rest with the teacher for distribution after your visit